

TITLE 9 CHAPTER 3

CANINE CONTROL

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931: **DEFINITIONS:** The words and phrases used in this Chapter shall be construed to have the following meanings:

ANIMAL CONTROL SUPERVISOR:

The person or persons in the employ of Albion City charged with the duty of enforcing the provisions of this Chapter.

DOG:

Any domesticated animal of the canine family, of either sex, over the age of four months, including domesticated wolves, or other wild species of the same.

DOG LICENSE:

The license required to be issued annually for each dog pursuant to the terms of this Chapter.

DOG KENNEL:

Any place of business where dogs are kept for boarding, breeding, training, treating, sale or other commercial purpose, and are confined in a sanitary and secure manner such that the dogs cannot run at large.

PET SHOP:

Any place of business where dogs and any other animals are kept for sale or hire.

932: DOG LICENSING:

9321: LICENSE REQUIRED: No person shall own, harbor, or keep or have possession, charge, care custody or control of any dog that is within the city for more than thirty days unless the dog is licensed, as provided in this section, and has around its neck a collar to which is attached a plate or tag as provided by this chapter. Such license and tag shall be procured as provided in this Chapter.

9322: LICENSE FEE:

(A) Fee. The fee for an annual dog license issued under this chapter, except as provided in B below, shall be as follows:

1. For each male or female dog, ten dollars (\$10.00);
2. For each duplicate dog tag, one dollar (\$1.00),
3. For each spayed female dog or neutered male dogs, Five Dollars (\$5.00).

(B) No penalty shall be imposed if the license is obtained within thirty (30) days after January 1 or within thirty (30) days after the owner comes into ownership or possession of the dog if he/she did not have such ownership or possession on January 1. If the dog license is not purchased within such grace period the owner shall pay in addition to the regular license fee, a penalty of five dollars (\$5.00).

9323: LICENSE ISSUANCE PROCEDURE: The City Clerk is authorized and directed to collect the license fees and penalties, to issue the dog license and the license tags required by this chapter upon the written application therefor by the owner of any dog or his/her agent. All applications for dog licenses shall be upon the blanks furnished by the City Clerk in the form specified in Section 9324. Upon receipt of a duly completed and signed application, together with the license fee and any penalties prescribed by this section and the presentation of a certificate signed by a licenses veterinarian stating that said dog was vaccinated against rabies for the period of the license, the City Clerk shall deliver to the person signing the application a metal license tag and a properly executed dog license in the form specified in Section 9324.

The Clerk shall retain a copy of the application and the dog license in his/her files. The license tags shall be metallic and shall have stamped thereon "Albion City" and the year of issuance together with the number of the tag. The Clerk is authorized and directed to obtain a sufficient number of serially numbered license tags, blank applications and dog license forms to carry out the provisions of this chapter. The cost of obtaining such forms and tags shall be a city charge, payable out of the general fund of the city.

9324: LICENSE FORM AND APPLICATION: The dog license required by this chapter and the application therefor shall be in substantially the following form:

ALBION CITY DOG LICENSE

A license fee in the amount of\$ _____

plus penalties in the amount of\$ _____

making a total of\$ _____

having been paid and the dog having been vaccinated as required by the Albion City CODE, the dog described in the above application is hereby licensed pursuant to the Albion City CODE with the above license tag number for the year(s) _____ (and_____ .)

ALBION CITY CLERK

By: _____

9325: TAGS:

(A) Upon payment of the license fee, the City Clerk shall issue to the owner a license receipt and metallic tag for each dog licensed. The tag shall have stamped thereon the expiration date of such tag and the number corresponding with the number of the receipt.

(B) Dog tags shall not be transferrable from one dog to another and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the City before the expiration of the license period.

933: RABIES CONTROL:

9331: VACCINATION OF DOGS: The owner of any dog over the age of four (4) months shall, within thirty (30) days after the dog attains the age of four (4) months, cause such dog to be vaccinated in a manner prescribed by the State of Idaho. The person administering an antirabies vaccination to any dog within the city shall deliver to the owner of such dog at the time of vaccination, his/her certificate stating the name of the owner of the dog, a description of the dog, the date of the vaccination and the type of vaccine used.

9332: DOG BITES:

(A) Whenever the owner of any dog has knowledge that such dog has bitten a human being, he/ she shall immediately inform the animal control supervisor and deliver it to the animal control supervisor to be held at a qualified veterinary hospital at the owner's expense for a period of ten (10) days, and a failure to do so is unlawful and punishable as provided below.

Whenever the animal control supervisor or resident Sheriff's Deputy is informed that a dog has bitten a human being, and the owner has failed to do either of the things required, it shall be his/ her duty to impound said dog, at the expense of the owner for the period of observation.

(B) If it appears that the dog has rabies, after examination by a veterinarian or qualified person, the animal control supervisor shall cause the dog to be destroyed. If at the end of such period of observation it appears that the dog does not have rabies, it shall be released upon the payment of the impounding fees and daily costs.

(C) If in the determination of the animal control supervisor, the public health or safety will not be impaired by confinement upon the premises of the owner of the dog, the animal control officer may allow confinement on the owner's premises for the prescribed period of time in lieu of confinement at a veterinary hospital or other location.

(D) In the event any dog has on a second occasion bitten a human being, the owner shall comply with this section, but the dog must thereafter at all times be confined in a secure pen, in such a manner that it cannot escape, and the pen must be inspected and approved by the animal control supervisor. If the dog is in a public animal control facility, it shall not be released until the animal control supervisor has examined and approved the pen. If the owner of the dog refuses to provide the pen, the dog shall be destroyed forthwith.

934: DOG RESTRICTION, PENALTY:

9341: DOGS AT LARGE:

(A) It is unlawful for any person who owns, harbors or keeps or who has possession, charge, care, custody or control of any dog to cause, permit, suffer or allow such dog to stray, run or in any other manner to be at large in or upon any public highway, street, alley, sidewalk, park, place or school ground, or upon any unenclosed lot or land whether public or private, other than the enclosed lot of the owner.

(B) Subsection A above shall not apply to any dog performing work tasks under the direction and control of the owner of such dog or under the direction and control of the agent, or employees of such owner.

9342: BARKING DOGS NUISANCE: It is unlawful for every owner to permit or allow his or her dog to habitually howl, bark or in any other manner disturb the peace and quietude of the community or of any person within Albion City, and such conduct on the part of any dog is declared to be a public nuisance. It shall be the duty of the animal control supervisor, and of every authorized person of the city to take whatever steps they may in their discretion believe to be necessary to abate any such nuisance, and in seeking to abate any such nuisance occurring in the presence of the person, the supervisor may enter upon private property and take any such dog into custody and impound the same, provided that said dog may not be taken from any dwelling house or other building. In the event of the impounding of any dog as herein provided, the provisions of Section 5 shall apply.

9343: NUMBER OF DOGS ALLOWED: It is unlawful for any person to keep or maintain more than three (3) dogs over the age of four months at any address unless such person is operating a bona fide and licensed animal clinic or hospital or a duly licensed pet shop, or dog kennel.

9344: FIERCE OR DANGEROUS DOGS:

(A) Each dog of fierce, dangerous or vicious propensities and all female dogs in heat, whether licensed or not, shall at all times be confined in a substantial pen in such a manner that no other dog, except another dog of the same owner, may come into contact with such dog. If any such dog is found running at large, it shall be taken up and impounded and shall not be released except upon payment of the charges as provided in Sections 2 and 5.

(B) Any dog which reasonably appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease shall not be released but may be forthwith destroyed.

(C) The animal control supervisor or any other authorized person, in dealing with any fierce or dangerous dog which cannot be safely taken up and impounded, may use any means necessary for the control of said animal, including but not limited to tranquilization or destruction of said dangerous or fierce dog.

9345: PENALTIES:

(A) Misdemeanor: Any person violating any of the provisions of this title, is guilty of a misdemeanor and notwithstanding any other penalties or fees provided herein, shall upon conviction of any violation be punished by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment in the county jail for a term not to exceed six (6) months or by both such fine and imprisonment.

(B) Under Section A above, the fine for the conviction of any offense under this title shall be not less than twenty five dollars (\$25.00).

935: IMPOUNDMENT:

9351: IMPOUNDING, REDEMPTION AND DESTRUCTION OF DOGS: All dogs taken up by the animal control officer shall be delivered to such animal control facilities as the city council shall make available by contract or agreement with public or private persons or otherwise. Not later than one (1) day after the impounding of any dog, the owner, if known, shall be notified. The owner of any dog impounded may reclaim such dog upon payment of the license fee, if unpaid, and of all costs and charges incurred for impounding and maintenance of the dog. Any dog not redeemed within five (5) days after it is impounded shall be deemed abandoned by its owner and shall be destroyed or otherwise disposed of by the person impounding such dog.